GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Chittoor District Sri D. Vijaya Kumar, the then Tahsildar, Devarapalli Mandal, W.G.District (Retd) - Departmental proceedings under rule 20 of A.P.C.S. (CC & A) Rules, 1991 - Articles of charges – Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.RT.No. 20 **Dated: 20-01-2021.**
Read:-

G.O.Ms.No.14, Revenue (Vig.III) Department, Dt:20.01.2021.

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ORDER:

In pursuance of the sanction accorded in the reference read above, it is proposed to hold an enquiry against Sri D. Vijaya Kumar, the then Tahsildar, Devarapalli Mandal, W.G.District (Retd) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure—I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure – III & IV).

3. Sri D. Vijaya Kumar, Tahsildar, (Retd) is directed to submit, within 10 days of the receipt of this order, a written statement of his defense.

4. Sri D. Vijaya Kumar, Tahsildar, (Retd) is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri D. Vijaya Kumar, Tahsildar, (Retd) is further informed that if he does not submit his written statement of defense on or before the date specified in Para—3 above, further action will be processed based on the material available.

6. Attention of Sri D. Vijaya Kumar, Tahsildar, (Retd) is invited to Rule 24 of A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri D. Vijaya Kumar, Tahsildar, (Retd) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri D. Vijaya Kumar, the then Tahsildar, Devarapalli Mandal, W.G.District (Retd)
through the Chief Commissioner of Land Administration, A.P., Vijayawada.

Copy to:
The Chief Commissioner of Land Administration, A.P., Vijayawada.
The Collector & District Magistrate, W.G.District
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI D. VIJAYA KUMAR, THE THEN TAHSILDAR, DEVARAPALLI MANDAL, W.G.DISTRICT (RETD).

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Article of Charge—I:

That, the Revenue Divisional Officer, Kovvur has conducted enquiry on the adverse news item published in Eenadu on 17.11.2015 under caption "R & B Road Nu Addamgaa Tavvesaru" at Kondagudem village of Devarapalli Mandal and reported that he has visited the area on 30.11.2015 along with the Mandal Revenue Officer, Devarapalli and VRO and also enquired with Sri Kotari Siva Rama Krishna, Proprietor, M/s. Shiridi Sai Stone Crushers that Sri M.Venkateswara Rao, the then Executive Engineer, R&B, Kovvur in his letter No.653/A.T.0/08, dt. 22.10.2008 has permitted the proprietor, Shiridi Sai Stone Crusher, Kondagudem to take up the formation or temporary diversion road duly closing R&B Road of Dommeru - Decherla in Km.11/0-2 R/S to a length of 185 Metres to perform the quarry operation. Basing on the permission made by the then Executive Engineer, R&B, Kovvur, the then Tahsildar, Devarapalli has irresponsibly recommended for grant of quarry lease for an extent of Ac.0.70cts covered by R.S.No.88 stands classified punta poramboke and it is under enjoyment and possession with R&B Department in his report in Roc No.352/2008/DT, dt.23.10.2008. The then Tahsildar, Sri D. Vijaya Kumar has totally failed to examine the permission given by the then EE, R&B, Kovvur and also on the nature of land and not find out that the land in question is a Government land but simply recommended basing on the permission given by the EE, R&B, Kovvur without verifying the records. Being a responsible Officer, he has failed to protect the Government land. Thus, the act of the individual shows gross negligence, lack of integrity and devotion in discharging his legitimate duties which caused much inconvenience and embarrassing situation to the Administration.

Thus, Sri D. Vijaya Kumar, the then Tahsildar, Devarapalli Mandal, by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct, unbecoming of a Government servant and thereby contravened Rule 3 of A.P.C.S. (Conduct) Rules, 1964.

Basis of charge:

1. Roc.No.1745/2015/L, Dated 05.01.2016 of the RDO, Kovvur.

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN RESPECT OF SRI D. VIJAYA KUMAR, THE THEN TAHSILDAR, DEVARAPALLI MANDAL (Retd)

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The Revenue Divisional Officer, Kovvur has reported that as per the instructions of the Collector & District Magistrate, West Godavari, Eluru, a detailed enquiry has been conducted on the adverse news item published in Eenadu on 17.11.2015 under caption "R & B Road Nu Addamgaa Tavvesaru" at Kondagudem village of Devarapalli Mandal and submitted report stating that he had visited the area on 30.11.2015 along with Mandal Revenue Officer, Devarapalli and Village Revenue Officer and also enquired with Sri Kotari Siva Rama Krishna, Proprietor, M/s. Shiridi Sai Stone Crushers. The individual has stated that he has obtained permission from the R & B officials and also submitted the copies of the following documents as shown below.

1. Letter No.653/A.T.0/08, dt.22.10.2008 addressed to the Proprietor, M/s. Shiridi Sai Stone Crusher, Kondagudem, Gowripatnam (V) by the then Executive Engineer, R&B Kovvur, i.e., Sri M. Venkateswara Rao.
2. Copy of the Letter from Sri D. Vijaya Kumar, the then Tahsildar, Devarapalli, addressed to the Assistant Director, Mines and Geology, Eluru in Roc. No. 352/2008/DT, dt.23.10.2008.
3. Proceedings of the AD, Mines and Geology, W.G., Eluru in proceedings No.6222/Q1/2008, dt.13.3.2009.

On verification and examination of the record, the RDO, Kovvuru has submitted that Sri M. Venkateswara Rao, the then Executive Engineer, R&B, Kovvur in his letter No.653/A.T.0/08, dt.22.10.2008 has permitted the proprietor, M/s. Shiridi Sai Stone Crusher, Kondagudem to take up the formation or temporary diversion road duly closing R&B Road of Dommeru - Decherla in KM 11/0-2 R/s to a length of 185 Metres to perform the quarry operation with the following conditions.

1. Diversion road should be formed in Pucca Traffic worthy condition before closing the R&B Road under the guidance of the Deputy Executive Engineer, (R&B); Assistant Executive Engineer, (R&B), Kovvur.
2. The Diversion road should be maintained regularly and there should not be any inconvenience to the public for free flow of traffic.
3. Provide traffic diversion boards and caution boards in the site at both ends.
4. After completion of the Quarry operation, the (R&B) Road should be handed over in original and in traffic-worthy condition.

The Revenue Divisional Officer, Kovvur has further submitted that according to the above permission issued by the then EE, R&B, Kovvur, it is established that he has deliberately and blatantly issued permission for quarry operations to the R&B Road by violating the conditions and also resorted for according permission to a Government property without jurisdiction and played an active role colluded with Sri K. Siva Rama Krishna, Proprietor, M/s. Shiridi Sai Stone Crushers, Kondagudem, Gowripatnam (V) and became a party for entire episode and he is totally held responsible for blatantly resorting to accord permission for quarry mining operations to a Government property, i.e., R&B Road, Kondagudem that he being a responsible officer he has to submit proposals to the government to obtain special orders in this nature of land which was not done by the EE, R&B, Kovvur.

The Revenue Divisional Officer, Kovvur has further submitted that basing on the permission made by the then EE, R&B, Kovvur in his letter dated 22.10.2008, the then Tahsildar, Sri D. Vijaya Kumar, Devarapalli in his report in Roc.No.352/2008/DT, dt.23.10.2008 and recommended for grant of quarry lease for an extent of Ac.0.70 cts covered by R.S.No.88 stands classified punta poramboke and it is under enjoyment and possession with R&B Department. The then Tahsildar has totally failed to examine the permission given by the then EE, R&B, Kovvur and also on the nature of land and

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not find out that the land in question is a Government land but simply recommended basing on the permission given by the EE, R&B, Kovvur without rejecting the request of the applicant and also permission of the then EE, R&B, Kovvur being a custodian of the land which is not done and he is held responsible for his failure to protect the Government land. Being a responsible officer, Sri D. Vijaya Kumar, the then Tahsildar, Devarapalli Mandal has failed to discharge his legitimate duties, which caused much inconvenience and embarrassing situation to the Administration.

Thus, Sri D. Vijaya Kumar, the then Tahsildar, Devarapalli Mandal, by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government servant and thereby contravened under Rule 3 of A.P.C.S. (Conduct) Rules, 1964.

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI D. VIJAYA KUMAR, THE THEN TAHSILDAR, DEVARAPALLI MANDAL, W.G.DISTRICT (RETD) IS PROPOSED TO BE SUSTAINED.

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1. Roc.No.1745/2015/L, Dated.05.01.2016 of the RDO, Kovvur.

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE — IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI D. VIJAYA KUMAR, THE THEN TAHSILDAR, DEVARAPALLI MANDAL, W.G.DISTRICT (RETD) IS PROPOSED TO BE SUSTAINED.

- Nil –

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT